

EXHIBIT

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Declaration of Peter C. Salerno
In Support of Defendant Yassin Kadi's Motion
To Exclude the Testimony of Victor Comras

03 MDL 1570

July 31, 2023

The Osama bin Laden I Know

WITH A
NEW
AFTERWORD

"Peter L. Bergen has written what will long be the 'go-to' resource . . . a chronological record of what is known about bin Laden from his birth in 1957 to 2005, assembled by stringing together statements from bin Laden and those who taught him, met him, worked with him, or interviewed him over those forty-eight years."

—Richard A. Clarke, *The Washington Post*

PETER L. BERGEN

Author of the *New York Times*
Bestseller *Holy War, Inc.*

... the far north of Afghanistan]. We were mujahideen and that trip took forty days the way. And [when the villagers] hear that an Arab, all the village's people come out of pride they remember that the Arabs speak to they came from the land of Mecca and

[real language] and we found it very, very less the villages, the people would come and ask us to give speech in the mosques. [They] just crying, "Allahu Akbar!" [God is] world come, some of them from three grandson or granddaughter. The feeling now I can't find it anywhere. I used to feel right in the air. I'm doing my duty, making my jihads, and no pressure of life, sitting with people all were loving the Prophet, all loving the land. Very exciting in a positive way. For two months. I think these months give us pushed me to act in a responsible way. I think Afghanistan was not just to take a stand the Soviets and be *shahid* [martyred] for very small part of our duty. I recognized we're educated; these people needed to stay at Pakistan. In order to do that, you had to [try] to stay inside Afghanistan, and you had to build hospitals.

... ever. I went to Sheikh Abdullah. He was ... had come from deep inside Afghanistan. ... I have to go to the Hajj [in Saudi Arabia] as it as useful and beneficial to bring me ... stayed in Mecca. And Sheikh Abdullah ... in that period he was the star of jihad. ... Dr Abdullah Azzam, what statement is ... Saudi Arabia? Sheikh Abdullah finally have a young man with me who just re-

cently came from Mazar-i-Sharif, the furthest front inside Afghanistan, and he saw exactly what is happening inside Afghanistan. I call him to come to the stage to speak." I couldn't. Too shy.

And so we spent three or four days there, and we lived in the house of Osama in Mecca. The entire bin Laden family were hosting people. And they had food and buses to take people. And Osama was very polite in his dealings and very generous.

Wael Julaidan, a Saudi from a Medina family involved in real estate, was a student in the United States as the war in Afghanistan heated up in the mid-eighties. Julaidan's account illustrates the effectiveness of Abdallah Azzam's recruiting tours.⁸

I lived in Jeddah for three years from '81 to '83. Osama, we see him from time to time in our social activities, but then in '85 in Pakistan, that's when I went I start to create some relationship [with him]. We were all there to serve the Afghans. For such a power like the Soviet's Red Army to come and attack such a poor country like Afghanistan, everybody was unhappy. [Osama] was so much feeling responsibility toward the Afghan issue and he wanted to extend whatever help he can to the Afghans.

Sheikh Abdullah Azzam had given that issue a lot of effort, to show how this invasion could be dangerous to all the region. And he also came to the States in December '84 and he talked about Afghanistan. I listened to his lecture. He talked about how much people there are in need of everything and I felt the responsibility at least to go and visit there [to see] if I can be of any help. Finally, I decided to visit Afghanistan. That was in April '85. I was twenty-eight.

I was doing my Master's degree at that time, in range management—developing the range for animal grazing—at the University of Arizona in Tucson. I was really appreciating the American system, the respect for the individual and the freedom we had been given. the chance to talk about anything that we are interested in.

I came to Saudi Arabia, visited my family, and then I went to Pakistan. I found that the size of the problem—it's so big, so large, and that's why I agreed with Dr. Azzam, I would like to mainly concentrate on relief work. So from '85 to '94 I lived [in Pakistan].

Hutaifa Azzam, Abdullah Azzam's son.

You could say that bin Laden separated from my father in 1987. Bin Laden said that he wanted to make special camps for the Arabs only: where we can start our own jihad and we give the orders. We will gather all the Arabs in Afghanistan in one area in Jalalabad [in eastern Afghanistan]. My father was against that. He was shocked.

So in 1987 Osama decided to separate and create special camps and special forces for the Arabs. Osama decided to move all of his troops into Jalalabad. [The question was] how he could transfer his troops there? There is no way from Pakistan. That's impossible.

At that time he started opening the road with bulldozers from Jaji to Jalalabad; it goes directly through the mountains of Tora Bora. [It took him] maybe six to seven months to build this road. Only four-wheel drives could drive on it.

This seems to be the first time that bin Laden became familiar with the mountains of Tora Bora. The half-year he spent building the road through the Tora Bora mountains in 1987 would be knowledge that would serve him well almost a decade and a half later when he fled there after the fall of the Taliban in November 2001.

Wael Julaidan, who headed the Saudi Red Crescent Organization in Pakistan in the mid-1980s, was also a key player in the Services Office.²⁴

Abdullah Azzam was insisting that we were only here to help the Afghans. I'm saying the same thing—always trying to remind Osama that we are here to solve the Afghan issue. He felt that he can do more. One day in Peshawar we meet together and we try to solve this problem. Abdullah Azzam made it very clear: "You are there to serve the issue through the Afghans. There is no other agenda."

Jamal Ismail, the Palestinian journalist.

Osama was not having any involvement in the Services Office since late '87 or maybe early '88. In '88 his financial support for Services Office

stepped by mutual understanding beta

...na was willing to contribute and finance ... which means "fighting." Services Office ... more of an NGO [nongovernmental ... a printing press in Peshawar. They were ... mosques and dispensaries. Osama wa ... financial support for fighting inside Afghani

... was not an accident that bin Laden's split ... around the time of his first meeting with ... 1986. For bin Laden, the slightly older, cere ... seemed an intriguing figure. Zawahiri had first jo ... fifteen and had by 1986 recently served three ... prisons for his jihadist activities. So, Zawa ... politically than bin Laden.²⁵ For Zawahiri ... presented an interesting opportunity: someone ... becoming a genuine war hero, whose deep pock ... 1987 Zawahiri was setting up his own ... a couple of years was being supported by ... Zawahiri increasingly turned bin Laden ag ... also aligned him with the hardline Islamist ... Hekmatyar, the bitter rival of the Afghan co ... stud. In short, the late 1980s marked the be ... between bin Laden and Zawahiri that contin ...

Jamal Ismail.

... [Ayman al Zawahiri] came to Peshawar ... function which was organized by a Kuwaiti ... Osama was asked to deliver a sermon there ... Zawahiri he introduced him ... as the first meeting.

Ayman al Zawahiri, from his 2001 autobiogra ... et's Banner.

Awards: Army Lapel Button/Parachute Badge/M16 Expert Badge/
Army Service Ribbon/Army Achievement Medal/Army Commendation Medal.

After the Soviet withdrawal from Afghanistan in 1989, the Afghan factions, which were fragmented by internal bickering and outright fighting, made little headway in seizing Kabul. The most pronounced conflict was between the longtime rival commanders Gulbuddin Hekmatyar and Ahmad Shah Massoud.

While bin Laden had left Pakistan in November of 1989 and had moved back to Saudi Arabia, by early 1991 he was back in Pakistan, making efforts to mediate between the Afghan factions. However, as Afghanistan slipped into civil war in early 1992, bin Laden washed his hands of the place and decided to move to Sudan.

Wael Julaidan remembers that he and bin Laden tried to placate the warring Afghan leaders during the early nineties.

Osama for one year and a half, from '89 to '91 was in Jeddah. Then he decided to go to Medina because he's working with his family's project and also he can be in the holy place where he can be nearby the mosque. And at the time developing the whole city [of Medina] was taking place.

Bin Laden returned to Peshawar in early '91 and he stayed until early '92 and I see him from time to time because I was there. We used to visit the Afghan leaders to solve disputes, because at that time the disputes of the Afghan leaders is getting more serious. From time to time we go together to talk to the different Afghan leaders, to calm them.

Abdullah Anas had helped to run the Services Office with Abdullah Azzam and bin Laden. He recalls that during this period bin Laden had a poorly conceived plan to take Kabul.

Osama, he had to create an organization and to keep everything under his control, but as an organizer, I think he had many mistakes during this period. In 1991 he had a project to enter Kabul [then under the control of the Afghan communists] and he spent 100 million rupees (more than 1.5 million dollars) and after a few weeks, everything collapsed and the

People took his 100 million rupee catastrophe, I consider him.

Haji Deen Mohamed was a
against the communists in Afgh
to attack Kabul.⁴¹

I saw bin Laden in 1991. He was an important personality. When I met bin Laden in Peshawar, he wanted Khalid to attack Kabul. We were the representative of Afghanistan about this because Khalid had a two-hour debate with bin Laden.

To be honest we didn't care much. The only thing he did have was rich. When Osama was in jeans were supporting him.

Ahmad Shah Ahmadzai was to 1996.⁴²

I have seen [bin Laden]. Wh Today he is a very a big man. H donations for us like thousands motivation that the Soviet Unio

After the defeat of the Soviets that were in Afghanistan: "We are in fighting the Soviet Union. You please do not participate in any of us. And please go back to your lands all of us to the Arabs. Because all Afghan hard-line Islamist] Gulbuddin Hekmatyar

Hekmatyar, nominally the prime minister of a government that replaced the one headed by Massoud in 1992, would shell Kabul.

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to send them back to Saudi Arabia back to normal is [not to study Shar'i'a (Islamic) law. That's why a ...] "How come you have hundreds and hundreds and then you just decide to send them back to the law. That means you haven't got a plan and can't make it harder."

Osama bin Laden was widely seen as a war hero. Yet veterans of foreign wars, could not settle back into life when he returned home. Essam Deraz, the who covered bin Laden during the Afghan jihad, Arabia in 1990 as he delivered what appears to i-American speech in public.⁴

"[bin Laden] changed. He get permission to make a [to Saudi Arabia, after Afghan war finished. It was] ... [and] the supporting of USA to [bring] a million [to] Israel and this [made] the Palestinian question. It was] in Jeddah, Saudi Arabia, he told me, [it] be with me for this speech. It is very important ... In this speech he attacked America very [to] Arab people to cut off their relationship with [to] "We have to make a stand against America

He had not spoken to his old university buddy and then for four years, since they had had the bitter Laden's military operation in Jaji in eastern

"... when he came back [to Saudi Arabia]. I was always very formal; we are polite, we just talk ... sometimes we talk about horses. No politics, what's going on, what's happening?"

"... busy. Many people coming, many people ... [and] only talking, "Osama is great." Everybody in [to] ..."

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For me he was making a very big mistake, not only me; those who know him very closely: Wael [Julaidan], Abdullah Anas, all his friends from [the Saudi cities of] Jeddah, Medina. They left him between '86 and '88. They have been removed and the Egyptians took their place. He did not listen to anybody. He went with those Egyptians. I don't know what exactly they did, how they are able to manipulate him, how they are able to brain wash him.

When I really start to talk to him, he is not the Osama I knew. The difference: [before] we were sitting down analyzing things, talking nicely, quietly, and we came to a conclusion. But [now] he said, "No. It's like this. It's true. You are wrong."

The relationship, or lack thereof, between bin Laden and Saddam Hussein has long been a matter of debate. Yet it's clear from these accounts of what bin Laden was saying around the time of Saddam's invasion of Kuwait in 1990 that al Qaeda's leader has long been an opponent of the Iraqi dictator.

Jamal al-Fadl is the Sudanese member of al Qaeda who testified for the prosecution in the New York trial of several men implicated in the attacks on the U.S. embassies in Africa in 1998.⁶

Saddam [Hussein] he don't believe most of Islam. He got something called Ba'ath [Arab socialist political party]. I remember even bin Laden himself in '88 he make lecture against Saddam. He say Saddam is a Ba'ath [ist] and Saddam one day he going to take all of Gulf area. I remember that in '88 he make lecture in Pakistan and everybody listen to that lecture.

Khaled Batarfi, bin Laden's old friend, recalls that bin Laden was predicting Saddam Hussein's invasion of Kuwait months before it happened in August 1990.⁷

Last time I saw him was 1990, six months before the Iraqi invasion of Kuwait. It was in Mecca in a friend's house where a group of intellectuals meet every Friday. And he came and talked about jihad in Afghanistan and told us then that he'd speak to us about Saddam. He said, "We should train our people, our young and increase our army and prepare

LADEN I KNOW

him once in Khartoum and two additional times that I was working on. The meeting in Khartoum was for the purpose of reporting to him about the day-to-day progress of the project. This meeting took place in his office for approximately 1½ to 2 hours. The two meetings took place when Osama bin Laden visited the

decision to leave my employment with Osama bin Laden. I had agreed on a salary with Osama bin Laden. Inside his company, I learned that others working in the same job titles and level of responsibility were getting more than I was. During the course of my employment with him, I regularly worked 8 hours of overtime

I thought, if bin Laden agreed to pay equity I might resign. I resigned as the answer to my request. I talked to the Director General of the company I saw or talked with Osama bin Laden again. I realized that he needed me to come back offering benefits. However, I did not return because I had, in our previous discussion, that if I resigned I would

be fired on the project in Sudan I heard the following reputation from other office employees. I had been in Afghanistan and that he had a large office in Afghanistan and Sudan. I heard that he was in Afghanistan and that his relationship with the Taliban. During the approximately one year that I was there I never heard that he was involved in any terrorist

activities. The relationship between Egypt and Sudan, due to the attempted assassination of Egyptian President Mubarak in Ethiopia during the summer of 1995 (an attempt by militants based in Sudan). At this time, I came to Canada safely. I began looking for a way to enter Canada without a visa. I was told that Canada does not require a visa to Canada and

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I eventually bought a Saudi Arabian passport in Sudan for 2500 US dollars.

Abdullah Anas was bin Laden's friend in Peshawar during the mid-1980s.²²

I met Osama twice [in Sudan]. I think more than 95 percent of his time was for business. He failed completely. He was very angry about the Sudanese. I remember when we were in his car he told me "I am facing problems with the Sudanese people. They told me they never imagined in their life somebody can work eight hours. They come for work two-three hours, and then they go."

Jamal al Fadl.²³

We talked [with] bin Laden and we asked him if we have to make money because the business is very bad in Sudan. [Bin Laden] say our agenda is bigger than business. We not going to make business here, but we need to help the government, and the government help our group, and this is our purpose.

Wael Julaidan had known bin Laden in Jeddah since the early 1980s and had worked with him in Pakistan during the mid-1980s. He visited him in Sudan in 1993, the last time he would speak with bin Laden.²⁴

Until 1992, there was nothing serious [about], "al Qaeda" or a real front. It's more of an idea.

One day he disappeared, just disappeared [from Pakistan]. That was in '92, maybe mid-'92. Then later we have heard he's in Sudan.

I met Osama in '93 in Sudan because at that time there was land given to the Muslim World League [with which I am associated] to establish their own office in Khartoum. So I went there for an official visit for three days. I visited Osama and I talked to him. I said "Do you believe that your family are happy?" As long as you are cut [of Saudi Arabia], everybody is unhappy."

Most of the family members went to him in Khartoum and tried to convince him the same—come back. I talked to some of his family. I said

"Why is Osama not back?" They said we are all trying, even we have asked our uncle who is a very old man, Abdullah (Mohamed bin Laden's brother), he went there. We thought if the eldest of the family would go there, he would surely come back. But Osama did not pay any respect to [his uncle].

Really, the big question here is: What happened? Is he the same Osama?

Essam al Ridi is the Egyptian pilot who met bin Laden in Pakistan in the mid-1980s. A decade before the 9/11 attacks, while bin Laden was based in Sudan, he reached out to al Ridi to ask him to purchase a jet in the United States, the first time that bin Laden had interested himself in American aviation. Ridi testified about that purchase in a New York terrorism trial in 2001. Excerpts of his testimony follow:²⁵

[In 1992] there was quite a few communications between me and Wadih El Hage (bin Laden's Lebanese-American personal secretary about the interests of Osama acquiring an airplane [to be] used in Khartoum. The price range within 350,000 U.S. [dollars] and a [flying] range of about a little bit over two thousand miles. Once I located an airplane with that price and that range, I've called Wadih and specifically told him, it's 350,000 and I'll be offered 9 percent from the dealer, the owner of the airplane. This is a customary commission when you buy or sell an aircraft in the U.S.

This part did not really go through. They came later with a different price. They wanted something within the 250,000 [dollars] or less, and my response was, you'll never get a used jet aircraft for that price that will do the range that you want.

They [had] some goods of their own they want to ship from Peshawar [Pakistan] to Khartoum--[U.S.] Stinger missiles (a highly effective anti-aircraft missile).

With the reduction in the price and the range I had limited options, one of which was a military aircraft under the designation of T389 which is the equivalent of a civilian aircraft called Saber-40. The airplane was in storage, what we call "boneyard" in Tucson, Arizona. So we pulled the aircraft out of the storage and we had to go through certain checks mechanically to make it acceptable by the FAA [Federal Aviation Adminis-

tation]. [I spent] about a total of 230 thousand completely.

We took off from Dallas-Fort Worth to Kigali [Khartoum] of about 1500 miles. You cannot really fly [it]. The first [flight] was Dallas-Fort Worth to the border. From there on to a place 67 latitude, 30 longitude to Iceland, to Rome, Cairo, Khartoum. I was at the most, but actually we had some terrible weather in [Canada]. It was minus 65. I saw a crack in the window.

I just parked the airplane [at Khartoum] on the same day, at night, we were offered dinner at a guest house. We had dinner and chatted with [Osama bin Laden]. We collectively agreed to go next morning to look at the airplane. I went, got it ready, cleaned it from the previous [flight]. Then I was told to go to the office. I went with the accountant, and to meet with Osama bin Laden. We discussed an offer for me to work with [him]. The offer was earlier discussed over the phone. I will delay those things until I come there. The offer was to work with him to fly that plane, to set up an operation of crop dusting because of business.

Before we start discussing the offer I had a talk with Osama on a personal level relating to the deal [offer] and relating to my stand that led me to [it]. Regardless what you think I want you to know the fact that you are a rich man trying to be a terrorist. I did not think that you have any military background or any military experience. Thus, I think that you and the guys is flat killing, not jihad. Now, periodically we gained experience, and now it's a different [offer]. Well, thank you very much." He was very nice and later he said, "This is not jihad. This is still a certified company in Khartoum."

[Bin Laden offered me 1,200 dollars a month]

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42. Ahmad Shah Ahmadzai, interview by James Meek, Kabul, Afghanistan, August 2005
43. U.S. State Department Background Note on Afghanistan, August 2005.

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